

DISPUTATION:

PROVING,

That it is not convenient to grant

UNTO

MINISTERS
SECULAR JURISDICTION;

And to make them

Lords & Statesmen

IN

PARLIAMENT.

LONDON

Printed in the Year MDCLXXIX.

DISPUTATION:

PROVING

THE RIGHT OF THE

WOMAN

MINISTERS

SECULAR JURISDICTION:

A THESIS

FOR DOCTORS & BACHELORS

IN

PARLIAMENT.

LONDON,

Printed in the Year MDCCXIX.

It is not expedient to grant unto Clergy-men secular Jurisdiction.

1. **I** Do not undertake to prove that it is simply unlawful: And the worthy and judicious Bishop *Davenant* doth grant Determin^d and assert, That the Law of Prudence and Equity it self quest. 11. doth forbid Kings to burden Clergy-men with it, so far as it will let and avocate them from their spiritual office and function.

2. It will be demanded who must be Judge what is, and what is not expedient? To which the forenamed *Davenant* makes answer, That is to be accounted expedient which a Wise Man shall so judge and determine: whereunto I assent. He afterwards adds, That which a wise and religious Prince shall so determine. Neither do I dissent in this, provided it be soundly understood: For that which a wise and religious Prince shall judge to be expedient, if it be so indeed, all wise men will, at least they ought so to think; for sound wisdom is the same in all: But it is too possible for the most wise and prudent Prince to enjoin things not good and expedient. King *David* thought it most prudent to number the people, who was a most wise Prince; but in that his wisdom fail'd him. *Joab*, his General, that was much inferiour to *David* in goodness and heavenly wisdom, thought it very imprudent: and the event proved *Joab* to be the wiser man in that.

3. Some things are more evidently, other things are less evidently expedient: The Scales may hang so even and equilibrions, that a wise comparing judgment can scarce tell whether is the heavier end, and whether part hath the stronger reasons: and the Scales may be so odd and unequal, so much solid reason may be said for the one side, and so little for the other, that to a wise comparing judgment the case is not doubtful to decide. Now I shall manifest, that it is evidently inexpedient to grant secular jurisdiction to Ministers and Clergymen, that is, That the same person be a Minister, Bishop, or Pastor of Souls, and a Magistrate or coercive Judge, one that beareth the Sword, *Rom. 13. 4.*

4. *Arg.* 1. Jesus Christ did not see it meet to exercise any such power while he was upon earth; being moved to be a kind of worldly Judge between two Brethren, he refused, saying, *Who made me a Judge or a divider over you?* Luk. 12. 14. As if he should say, (says *Davenant* upon the words) Neither by divine nor by humane Ordination do I exercise Judiciary power over private persons, much less over Kings: By which argument the same *Davenant* goes about to prove the nullity of the Popes power in Temporals. Now if his argument be of force against the Bishop of *Rome*, I see not but it is of equal force against worldly Jurisdiction in all Bishops and Pastors whatsoever. Now if Christ saw it not meet for him to exercise worldly Jurisdiction, methinks all Bishops and Pastors of Souls, who have their office and calling particularly from him, should see it meet to learn of him and imitate him herein, and Princes themselves should not think it expedient to burden Ministers with that, which Christ himself refused and put from him as either unlawful in it self, or inexpedient: *Mat.* 11. 29, *Take my yoke upon you, and learn of me.*

5. *Arg.* 2. The Apostles and the successors of the Apostles, the Bishops and Pastors of the Churches for the space of three hundred years unto the time of *Constantine*, had no Temporal Jurisdiction, nor did exercise any. And those are counted the best and purest times of the Church. If we may not make the Apostles of Christ, and their immediate successors the Bishops and Pastors of the Churches for the first three hundred years, our pattern, what shall we make our pattern, and by what law and rule shall we determine what is, and what is not expedient? Can we better govern our selves and the Churches than they? Have we more wisdom to invent and find out ways of good governing the Church than they had? Have we more holiness and goodness, and faithfulness to God, our selves, our calling, and the Church, than had they? If the Church did well and best subsist, when it had no Magistrates but what were Pagan, Infidel, and Jewish, many of whom were great Persecutors, all of them deniers of the Christian names, will it not well and better subsist, if better can be, where Magistrates are Christian, and defenders of the Faith, if Bishops and Pastors contenting themselves with no more but the Episcopal and Pastoral office, and refusing all worldly Jurisdiction, shall wisely and faithfully behave themselves in their office, as those first and most ancient Bishops and Pastors of the Churches did?

6. Unto this the worthy *Davenant* makes answer. That those times and ours are not alike. Those times were exceeding holy and good, *ours*

ours be exceeding bad. There needed no secular authority in Pastors then, there was so much holiness and piety, the Word and Discipline were abundantly enough; but now the Christian World is so exceedingly corrupt and degenerate, that unless Ministers be armed with Secular Jurisdiction, their authority will be despised, and the Discipline which God hath appointed to be in his Church, will be scorned as base and contemptible, rather than be revered for any good it will do; *Non tam usus esset, quam ludibrio*, those are his very words. *Davenant* is the man whom I do highly esteem, and so do all that be wise and knowing in the things of God: but in this *Davenant* hath fallen much below himself; and the feebleness of his reasoning doth much confirm me in my judgment and perswasion, that the cause which he oppugneth, and which I do here defend, is too strong to be overthrown.

7. His answer is partly not true, not to say it is directly and flatly false: For let any impartial man make a due estimate of things, and compare the Pastors and Churches under the Apostles (I except the persons of the Apostles themselves) and during their abode upon earth, and their successors the Pastors and Churches immediately following to the time of *Constantine*, I say compare these with the Pastors and Churches of our times, and it will be found that there is no such inequality as he suggests. *Bradford* and *Philpot*, and *Rogers*, and *Cranmer*, and *Latimer*, and *Ridley*, and *Hooper*, and *Bilney*, and *Sanders*, and other of the *English* Martyrs were worthy and famous Martyrs of Christ, as well as were those first and most ancient Martyrs. And *Grindal*, and *Jewel*, and *Usher*, and *Davenant*, and *Gataker*, and *Vines*, and *Hildesham*, and *Preston*, and *Sibbs*, and *Dod*, and *Joseph Allen*, and many more of our own and foreign Divines were able to vye with the ancient Bishops and Pastors of the Churches, such as died not Martyrs. And the private Christians, and Families, and Congregations of our times, are not much inferiour to those ancient ones both *Greek* and *Latin*, and even to those we have mention of in the New Testament, namely the seven Churches of *Asia*, those of *Galatia*, and *Judea*, that at *Corinth* and others.

8. Admit it were true, which questionless is not: I should rather think that the way to reduce an unreformed Church and people from heresie and unholiness, to soundness in the faith and holiness, is for Pastors to content themselves with the work of Pastors, and give themselves wholly to it, and suffer no lets. Will the Sword convert souls, or awe mens consciences? would it likely do more good if a Minister should

should come into the Pulpit with a Sword in one hand, and a Bible in the other? The Sword is not appointed of God for the conversion of Souls; the office of the Magistrate is to make way for the work and office of the Minister. It is the sword of the Spirit which is the Word of God, which must cut in pieces mens lusts, and breed in them sound faith, holiness, and reformation, and not the sword of the Magistrate. Let the Magistrate do or not do his duty, let him be Pagan or Persecutor, and let the people be more loose and unreformed than they are, let but Pastors and Ministers do their duty well, and we shall soon see that Gods Word and Discipline is of the same force now that ever it hath been; otherwise there is a change in God, and his promise fails, and Satan is stronger now than he hath been, and Christ and the Holy Ghost are much weaker. Read and consider well these Scriptures, [*Mat.* 28. 18, 19, 20. *1 Pet.* 3. 13. *Mich.* 2. 7. *Isa* 45. 19. *Isa.* 49. 4, 5. *1 Cor.* 15. 58. *Psal.* 84. 11. *2 Cor.* 2. 15, 16. *2 Cor.* 4. 1, 2. *2 Cor.* 10. 4, 5, 6.] to name no more, and let but Ministers be wise and faithful, and try if it be not the best and speediest way to reform what is amiss in the Church, contenting themselves with no more but their own office, and leaving all force and secular authority to the Magistrate.

9. If we be the same that the ancient Pastors were, be sure God and Gods Word will be the same; we cannot do Gods part, nor the Magistrates part, nor the peoples part, we can only do our own part; which we may do if we will; do our own part, and be sure God will be with us and do his. What hinders but Pastors may be as wise and holy as they have been of old? If we be not, it is our own fault. The more corrupt the times are, the more need Pastors have to bestir themselves, and to double their diligence, and lay out themselves more vigorously, to be more Exemplary, to abound in the work of God, to be mortified, to lose no time, to suffer no let. To make them Magistrates, were to let them, and take away much of their time, and rather hinder and distract, than further them. If the Pastors office be as much as they can wisely and faithfully do, would it further them in their work to have another office and work added to them? Ministers of the Gospel are not so fit as others to be worldly coercive Judges and Secular Magistrates. For their office is purely Pastoral, and is to have no terrour in, but the terrour of Gods Word, and spiritual denunciations, that the people may have no temptations to withdraw their love and esteem from their Pastors. A Thief at the Bar had rather have a Minister than the Judge to reprove him, though both should

should pronounce the same truth, and hit upon the same words, and have equal wisdom and integrity. For properly Magistrates are for outward terrour to evil doers, and for outward defence and protection to them that do well, *Rom. 13. 3. 1 Pet. 2. 14.* But Ministers are to be gentle to souls, even as a nurse cherisheth her children, and to exhort and comfort, and charge every one as a father doth his children, *1 Thes. 2. 7, 11.* But if parents and nurses, and tender mothers should rule their children by the sword too, that would not add to their office, nor further their work.

10. *Arg. 3.* If it be so as *Davenant* says, that unless Ministers be armed with Secular Jurisdiction, their office and authority in the Church, and the Lords Word and Discipline as administered by them, will be despised and trod upon; then necessarily all Ministers should be made Magistrates, and Princes are too blame if they do not put the sword into all their hands, and make every Minister throughout the Nation a Justice of Peace, or a Sheriff, or a Judge, by giving him power to imprison, and lay fines and penalties upon offenders, and to use coercive means. And then the Scriptures themselves, even the wisdom of God will be found faulty, if he have ordained and appointed no such thing in all the Bible, as I no where find that he hath done. And by the same reason Magistrates may say they also must be Ministers, and there will be a confusion of offices, and the bounds and banks of order in Church and Commonwealth will be thrown down; and if order be not observed, good government cannot be. For good government is nothing but the observance of right order; when Magistrates do the duty of Magistrates, and meddle with no more but what comes within the compass of their office, that is right order, and it breeds peace, *1 Cor. 14. 33 40.* And when Ministers and Pastors do their duty, and what properly pertains to their office, meddling with no more, this also is right order, and the way of true and good government in the Church, and produceth peace. But if you leave this way and order, you err. And where your error may stop, and what mischiefs and inconveniences it may produce, who is able to declare? For there is no safety but by keeping in Gods way, and close walking by his rules *Uno absurdo dato sequuntur mille*, is as true in Practicals as in Doctrinals.

11. *A. 4.* Either Christian faithful Magistrates are a help and defence to Gods Church, and to Ministers in their calling and office, or they are not. If they are, then methinks if the Church and Ministers did well when they wanted such helps, they should rather do better, at least

least they should do as well, or not be much worse, when they have such helps. But to say they cannot do at all, or that Ministers and their Discipline, and Ministrations barely without Secular Jurisdiction added to them, will be of no use, but rather a scorn and mockery under Christian Magistrates, is stark shame and reproach to all such Ministers, and they should rather be cast out of the Church as intolerable, and as dung and dead unsavoury salt, than be made Magistrates. What should they do Magistrates that are not able by all they can do to preserve themselves from sordid ignominy and contempt? or if not this, it is an intolerable shame to all, excepting Ministers, both Magistrates and people, that they should be so extremely wicked and graceless, neither fearing God, nor regarding men, as to despise and scorn all the wise and holy, and faithful Pastors in the Church that are but meer Pastors. According to this opinion one of these two wickednesses and absurdities will follow; either that all the Pastors in the Church that are but meer Pastors, are shamefully wicked and intolerable, and most unworthy to be Pastors; or that all besides in the Church that are no Pastors, Princes, Rulers and people are extremely wicked, even scorners and contemners of Gods Ministers, Worship, Word, Discipline and holy institutions.

If Christian Magistrates and such as be faithful, be not a help and defence to Gods Church and Ministers in their office, then it is a contradiction to desire their office as an help and expedient to the Church, and that Ministers might be armed with the authority of a Magistrate too. And then it is no blessing but rather a curse to have faithful Kings, Princes and Magistrates; and then we should not pray for them; and then it were all one to have Persecutors as Protectors, *Julian as Constantine, Nero, Dioclesian, Queen Mary,* and bloody Popes and Tyrants, as *Theodosius, Josias, Queen Elizabeth,* and wise, and just, and faithful Governors.

12. *Arg. 5.* Either you would have Pastors and their authority in the Church revered, or you would not. If you would have them revered, what must it be for? you would have the same man to be a Pastor and a Magistrate, and so to be revered. Very good; if then the same man as Pastor be base and vile, worthy of no reverence, how shall we do to reverence the same man as Magistrate? shall we say that the same man is worthy and unworthy, vile and honourable, faithful and unfaithful? will you say that he hath two souls, or two consciences, one as a Pastor, and so he is a worthless wretch, to be contemned of all; and the other as a Magistrate, and so he is honourable,

able, and to be had in esteem by all? If the same man as Pastor be damned, what shall become of the same man as Magistrate? If Pastors be worthy men, all men will reverence and esteem them; at least God will, and all that be taught and instructed of God. Even an *Herod* will reverence a *John Baptist*. Wisdom and Holiness will be revered in all; and folly, and vice, and wickedness, will be revered in none. But especially wisdom and holiness will be revered in Pastors; and vice, and folly, and hypocrisie, and unfaithfulness, will be thought not so odious and unfavoury in any, as in Pastors and Bishops. For it is of them especially that God saith, *Them that honour me, I will honour; and they that despise me, shall be lightly esteemed,* 1 Sam. 2. 30. If a Minister be truly worthy and honourable, he shall be honoured. All right esteeming men, if there be any that fear God, and make conscience of his commands, will reverence, *and esteem him very highly in love for his works sake,* 1 Thes. 5. 12, 13. But if he be but the meer name and outside of a Bishop, if he be a *Bonner*, a hater and persecutor of good men, foolish, wicked, ambitious, slothful, worldly, self-seeking, contentious, heretical, ignorant, scandalous and unfaithful, nothing that you can do will uphold his reputation: make him a Lord or Prince in Parliament, heap all the dignities and honours that be among men upon him, make him the greatest man for office in the Kingdom, next to the King himself, his vices and corruptions will shame him before the world; no covers formalities, and worldly eminencies and additaments, will be able to hide the spots and deformities of his soul, and win him reputation with any but Fools, Flatterers and Knaves. For *it is righteousness, and it only, which exalteth a nation or person; but sin is a reproach to any person or people,* Prov. 14. 34.

If you would not have Ministers and their authority in the Church revered and esteemed, then you contradict your selves, who would have Ministers to have worldly jurisdiction, as a means to procure them reverence and esteem in the Church: and then it is no sin not to esteem those that be worthy of esteem; and then *Judas* and *Peter* be a-like worthy, and we are to be as thankful for, and rejoice in an *Arrins* as an *Athanasius*, a *Bonner* as a *Bradford*, an Antichristian murdering wicked Pope, as a *Peter* and *Paul*, and the most holy Pastor and Bishop upon earth.

Arg. 6. In defence of Ministers being made Magistrates, sundry instances out of the *Old Testament* be urged, which be of Gods ordaining. As we read of *Melchisedeck* King of *Salem*, and Priest of

the most-high God; and of *Eli* and *Samuel*, who were both Priests and Judges in *Israel*. The answering and clearing of this will make for the advantage of the truth, and therefore I put it in the number of my Arguments. These instances may be of some weight to make one think that the thing in it self is not simply, universally, and absolutely unlawful. But what if I shall say, that these be cases extraordinary, and will not warrant an ordinary and general practice? That *Melechisedeck* was a person extraordinary, a special and singular Type of Christ, is clear from *Psal* 110. 4. *Heb.* 5. 10. *Heb.* 7. 17. *Cunens de republicâ Judaor*, to my remembrance, holds him to be Christ himself: but that is thought to be an error by most. Certain it is, he was a great man, great I mean in the sight of God as well as great before men; For he blessed *Abraham* [the Father of the faithful] and without contradiction, says the Apostle, *the less is blessed of the better*, *Heb.* 7. 6, 7. Moreover in those times the Church was much confined to Families; and the Head of the Family was both Priest and Governor of the Family. *Job* sanctified his Sons, and offered burnt-offerings for them, *Job* 1. 5. *Abraham*, *Isaac* and *Jacob*, were Priests, and Parents, and Magistrates in their Families, and cover their Households: For if a murder had been done in any of their families, they were bound by Gods Law, *Gen.* 9. 6, to execute vengeance upon the murderer.

And as for *Eli* and *Samuel*, they were both Priests and Judges: Now Judges in those times were a peculiar and extraordinary sort of Magistrates and Commonwealth Governors raised up by God himself, and sometimes there was none. His Office was neither elective nor successive; when he died, his Office died with him. When the order of Kings was instituted and took place in *Saul* and *David*, the government by Judges ceased. Now to argue from these extraordinary and rare cases, to an ordinary practice, I suppose will not hold.

Besides, those times and ours do very much differ as to many things pertaining to Church-matters. Every Parent among the *Jews*, by the Law, I suppose, was to circumcise his Male-children, *Exod.* 4. 24, 25, 26. *Gen.* 17. 10. But under the Gospel it is made a part of the office of Pastors to Baptize Children; and for Parents to do it, is a sacrilegious invasion. Under the Law all their Ministers were chosen out of one tribe, the Tribe of *Levi*: It is not so under the Gospel. The *Jews* Commonwealth was a Theocracy, it was Divine and from God: not only their Church-laws and institutions, but even their political, judicial, and civil statutes and sanctions were from God.

God. And it was the same thing or office among them, to be a Divine and a Lawyer; to declare what was Religion and Divinity, and what was law and right between party and party. And thence it was that the High Priest and other inferior Priests and Levites were made not coercive and revenging Judges and Magistrates, *Deut.* 16. 18. *Ezra* 7. 25, but a sort of spiritual Lawyers and Caluists, to teach the people what was Law, right and wrong, and to decide in cases and questions concerning matters Ecclesiastical, and Civil right, as seems evident from *Deut.* 17. 8, 9, 10, 11, 12. *2 Chron.* 19. 5, 6, 7, 8, 9, 10, 11. In those times it was counted for a hainous crime for any man to invade the Priests Office. *Uzzah* for putting his hand to uphold the Ark when the Oxen shook it, was smitten dead. And King *Uzziah* for attempting to burn Incense in the Temple, which was not lawful for any but the Priests to do, was withstood by four-score valient men who were Priests, and the Lord smote him with Leprosie for his intolency, and he continued a Leper to the day of his death, living in a several house. And I think it cannot be proved that it was ordinary with Gods people then to make Magistrates Ministers, and Ministers Magistrates; but these Offices were kept distinct and intire, and no man ordinarily was entrusted with both.

I do further add, That those Laws and Customs of the *Jews*, they do no further oblige Christian people, than they are significative of the Law of Nature; and so are Laws universal founded in natural equity, and are laws and rules of perpetual order and observance. *Jew* and *Gentile* by the coming of Christ are made one. The *Jews* Temple, Commonwealth, Church-rites and Institutions, are ceased, expired, and an end is put to them. There is a new ministration come in, and substituted in their room, more glorious and excellent, more proper for, and suited to the Church universal, consisting of *Jew* and *Gentile*, of Nations, and People, and Languages throughout the World. There is now but one Law, and that is the Law of Nature and Christianity; which is not two, but one entire Law or way of governing mankind under Jesus Christ, supream under God in Heaven and in Earth, and who himself also is God: By Kings and Princes, as supream; and subordinate Rulers and Magistrates under them; and by Christian Pastors, Guides and Bishops of Souls, Magistrates to do what is pertaining to their Office and no more; Pastors also to do what pertaineth to their Office, and no more.

Besides, the *Jews* having their judicial and political Laws shortly and compendiously framed into one body by God himself, it was no

distraction to the Priests and Clergy then to study those Laws as a part of their Divinity, and become able to decide in Causes and Questions of civil Right and Judicature. But with us of this Nation, the study of the Law is become very laborious, some are ready to say, *Præius vitæ laboravimus, nunc legibus*. A man cannot be a good Judge, Chancellour, nor Justice of Peace, nor bear any considerable Office in the Common-wealth, without insight into the Law, the Statute Law, which is a vast body of Laws; and every Parliament is adding new ones, and the Common-Law and Customs of the Realm, and of particular Courts and Places, the knowledg whereof cannot be attained with little pains, and time, and study, and without some experience. We have Inns of Court among us. It is made a distinct profession and order of men among us, to be men skill in the Law. The Laws and Customs of *England* are so intricate and hard to be well known, that it would be a great distraction to a Divine to give himself to those Studies; and when he has done, he might perhaps attain to some scraps and pieces to make him a *Sciolus*, a Novice therein, so much as might serve him for his own private use; but hardly could he attain to so much, as to make him ripe, and judicious, and knowing enough to be a Judge or Magistrate. *And ignorantia Judicis est calamitas innocentis*. An ignorant Judge or Magistrate cannot but do much wrong, and pervert judgment for want of knowledg. A Lawyer may far better be a Divine, than a Divine can be a Lawyer. Indeed, no man can be a good Divine or Lawyer, that is not a good Christian and learned in the Laws of God, the Law of Nature, and Christianity, what it is to be under Law to God, and live under his Government. To be a right Divine, is to be a heavenly Lawyer. But this a man may be, and be ignorant of a thousand quirks, and points, and matters in the Laws and Customs of *England*. They are so many, and so intricate, and so uncertain, and so out of the road of Divinity, and the knowledg and study of universal right, that it would be against conscience and faithfulness in a Minister to give himself to the study of them: and without giving himself to the study of them, he cannot attain to the knowledg of them, competent for an English Judge and Political Magistrate.

14. *Arg. 7.* There are able men enough to be Judges and Magistrates; but there is a great defect of Ministers, and therefore it cannot consist with wisdom and expediency, that, I say, nor with conscience and honesty, to rob the Church to make the State and Commonwealth:

luxuriate. That there are able men enough to be Judges and Magistrates, and to serve in all offices of the Commonwealth, is either true, or it is some reproach to the Nobles, Gentry, and Commons of England. Cannot you do all the offices of the Commonwealth, serve as Magistrates, Judges and Rulers, and bear the Sword, and see to the common peace and quiet of the Nation, having the direction, advice, and endeavours of Pastours both in publick and private, as Pastours and no more, unless withall, Pastours be made Judges and Magistrates too, and come into your aid? Surely then you are a degenerate seed, you are not Christian Nobles, Gentry and Commons. Let us pray for you, and pity you. If there be able men enough to bear the Sword and serve in all offices of the Commonwealth, why should Ministers, Bishops and Clergy-men be called from their employments and spiritual function, when there is an unobserved want of Ministers throughout all the Nation? The work of a Bishop, Minister and Pastour of Souls, is to do all the ordinary Lords-day work in publick, which to do well and substantially, will take up no small part of his chiefest time, thoughts and pains. But this is not all, nor near all of his work; for he is to watch over every Soul: he is personally to instruct, and catechise, and confer with all of his charge; he is to visit the sick; he is to admonish, reprove, comfort, counsel, warn and charge every one night and day, with tears, as a Father his Children; he is to assist in neighbour meetings and Church-affociations of Pastors and Brethren, for concord and communion; he is to hear all such Causes, as need due and regular discipline. And is any one man able to do all this, as it should be done, to any of those Parishes in City or Country which abound with multitudes of Souls, that would find work for many Ministers to do it faithfully, as it should be done? Whereas if there be one in a Parish, and in some, one with a Reader, or Curate, that is thought enough. I confess at that rate, that many do the work of the Ministry, it is an easie matter for one man to be a Pastour to a Parish of a dozen Miles compass in the Countrey, and St. Giles's in the Fields, St. Martins, Sreptney, and Cripple gate in the City of London. But to do the work of a Pastour faithfully and entirely to all the Souls within any one of these, and such like Parishes, would require a whole Colledge and combination of Ministers. We see in a Troop of Horse, of but some forty or fifty men, there is a Captain and a Lieutenant, besides other Officers. In a Regiment of Fifteen hundred, much more of fifteen thousand, what a vast number of Officers are there! Captains even thousands, Captains

over hundreds, Captains over fifties, and Captains over tens, Deut. 1.

15. Every tenth man was to have a Captain or Officer. But there is many a Parish in *England* that may have Ten thousand Souls in it; and but one or two Pastours appointed to look to all these souls. When King Solomon built his Temple, *He set threescore and ten thousand to be bearers of burdens, and fourscore thousand to be hewers in the mountains, and three thousand and six hundred to be overseers, to set the people a work, 2 Chron. 2. 18.* But in the building of the Lords spiritual Temple there is not one Pastour to a thousand Souls in many Parishes of *England*. I know many will think there are too many Ministers. I think there are to many bad ones; but I never read or heard of any Kingdom, or place, or people, to this day, that had too many faithful Ministers: And I shall think it a holy and happy time when such a thing is; but I despair to see it in this world. Were it not that there are not Ministers enough to do all the pastoral work of each Congregation, I should think most of the godly Ministers in *England* notoriously guilty before God, of gross neglect and unfaithfulness, for want of personal and private oversight of all their people; though I think a great deal more might be done by many, than ordinarily is.

Well then, there being so great a want of Ministers, and no want of Magistrates, would you have Ministers to turn Magistrates too? must those few that are, be hindered and distracted, by calling them off to worldly and secular businesses? Is it not enough that Ministers have more work upon their hands than they can do? and would you make them more, and that too diverting and alien work, *extra*. Episcopal, and almost, if not altogether pragmatical work? What is this but to serve Satan in the name of Christ, and under pretence of Order to pull down Order, and make the Church more low and weak by much than it is? The holy Apostles of our Lord were of another mind; when they saw they could not both look to the corporal necessities of the poor, and the spiritual necessities of Souls too, they contrived an expedient for both: They appointed a new office of Deacons in the Church, to see to the bodily necessities of the poor; but say they, *We will give our selves continually to prayer, and to the ministry of Gods word, Act. 6. 2, 4.* Far unlike to those that leave the Word of God and Prayer, and give themselves to the doing of worldly matters, and secular businesses, and teach men so, and plead for it as their priviledge, and a means of advantaging the Church, and of promoting holiness and peace. *Non tali auxilio, nec defensoribus istis — tempus eget.*

15. *Arg. 8.* Those who maintain it to be good to have Clergy-men armed with secular jurisdiction, do urge for reason, the practise of the ancient Bishops and Churches for the first three hundred years, while the Church was without Christian Princes and Magistrates. It was usual in those times, for the people to refer their dissensions about worldly things to the decision and arbitration of their Bishops, who to prevent going to Law before Heathen Magistrates, and to prevent and compose differences and strifes, and keep peace among their people, would give themselves the trouble to hear and arbitrate Causes, and Pleas, and worldly differences referred to them. And hence it is argued, that if it was lawful for Clergy-men to be Arbitrators and elected Judges, to decide between brethren, it is lawful for Clergy-men to be Judges, made and constituted by authority, and commission from the higher powers.

16. As to this, I take it to be true as to matter of fact, that it was usual for the Bishops of those times to hear and arbitrate civil Causes and Rights: And it grew by occasion, I was a saying by a misconstruction of the Apostles words, *1 Cor. 6. 5, I speak to your shame, Is it so, that there is not a wise man amongst you? no, not one that shall be able to judge between his brethren?* I thinking none more wise, and consequently more fit to arbitrate and decide their Causes, than their Bishops. And this continuing to the time of *Constantine*, and he finding them in possession thereof, continued it to them, and confirmed it in their hands by Law; which was the beginning of Clergy-mens lordliness and domination, the fruits and consequents whereof have been very calamitous to the Church ever since.

17. I have many things to say as to this: As 1. That it is very likely the ancient Bishops who took upon them this trouble of hearing and arbitrating the civil Rights and Causes of their people, did it with no joy, they were not fond of it, they thought it a burden, and if they might have had their choice, would rather have been free from all such trouble. So much is intimated in a passage, which *Davenant* in his *Determ. quest. 11.* aforementioned, quoteth out of *Augustine*. They did not esteem them priviledges or easements, but *molestias*; for so are *Augustines* words as cited, molestations and troubles. But the Bishops and Clergy of our times seek them, contend for them, and are tenacious of such things as priviledges.

2. Either the Bishops imployed in the hearing and arbitrating those Causes, were the same with our Diocesan Bishops, or they were not.

not. If they were, then what discretion could there be in the people, to refer all the Causes within the Bishops Diocess, supposing it to be of the same extent and bigness with the Diocesses of Bishops in England, to one man their Bishop? And what discretion could it be in such a Bishop, as among us, the Bishop of *Norwich*, the Bishop of *London*, the Bishop of *Lincoln*, &c. to take upon him the trouble of hearing and arbitrating all Civil causes, controversies, and differences of the people inhabiting to vast a compass as his Diocess? He must do nothing else but merely hear civil Causes. He must be but a Bishop in name. How expensive, and very inconvenient would it be, for all the Christians in any the least Diocess in England, much more in the greatest, to travel with their Law-Suits to the Bishop of the Diocess? His House then must be a meer *Westminster hall* and all the days in the year, scarce the Lords-day excepted, must be term-time with him. To think that the Apostle ever meant any such thing, when he counsels them to refer their matters to a wise Arbitrator, is a gross wresting of his words: For he wrote to the Church of *Corinth*, which was but one particular Church, *Is there not a wise man among you?* He must be a wise man *among them*, one near at hand, ealie to be resorted to, to whom they might refer their Causes. And therefore it could not be, that the Christians then referred their Causes to a Diocesan Bishop, such as ours.

And if not, then the Cause of our Diocesan Bishops will receive a deep wound, and it will make way for an unwelcome truth, That the Bishops to whom the people referred their Causes, were the Pastors of every Parish, the very same with our Parish-Ministers, and the Rectors of Parsonages. These of the Clergy were the fittest to arbitrate the Causes of all the people within their Parish. A Parish-Bishop or Minister may with far more ease arbitrate and compose the dissentions and suits of all in his Parish, than the Diocesan Bishop can do of all the Pastors and people in his Diocess.

3. It is not the intent and meaning of the foresaid words of the Apostle, that Pastors should be employed in hearing and arbitrating the secular Causes of their own people, or of the people of other Parishes. I will not say it is absolutely and universally unlawful; nor will I say it is expedient in no case at all. There may be Cases rarely here and there in Parishes, so circumstanced, both under Christian and Pagan Magistrates, in which it may be both
law-

lawful and expedient for the Pastors to arbitrate and compose suits and differences among the people. But generally and for the most part it is inexpedient. For either he will do right, or do wrong. If he do right, it is well if one side be not displeased, and fall out with him, and take a grudge against him, and either turn from him and not hear him, or hear him with prejudice; and so by this means the Pastor may be an occasion of much sin and damage, and damnation to his Soul, which prudence, and piety, and compassion in a Minister, doth forbid, and will make him watch against. If he do wrong, then it is hurtful to his own Soul, it is a wronging of the Innocent, and a perverting of Justice, and a scandal to his Ministry.

Besides, He can scarce do it but with distraction: If he do it but a little, it will be a hindrance to his other work, and distract him; much more will it hinder and distract him if he should use it, and do it frequently. And the words of Christ are considerable, and worthy to be thought on, *Luke 12. 14, Man, who made me a judge, or a divider [an Arbitrator] between you?*

4. The words of the Apostle may be well understood in this sense; either there is besides your Pastor a wise man among you, and one that is able to judge between brethren, or there is not. If there be, refer your contentions and civil causes to him. Neither go to Law before the unbelievers, nor do you trouble your Pastors and Bishops; but single out a wise man among you, one that is able to hear and decide your Causes, and make him Judge and Arbitrator between you. If there be not one such wise and able man among you, then it is a shame and reproach to you all. What? Do you call your selves Saints? Do you not know that the Saints shall judge the world, even Angels themselves? Are they not then fit to judge on earth small matters, and to decide a petty controversie about *mine* and *thine* between Brethren, but Brother goeth to Law with Brother, and that before the unbelievers? This is to your shame.

5. When *Constantine* came to the Crown, and Magistrates became Christians, the most expedient way had been to have eased Pastors of all those molestations and avocations, and lest the Pastor nothing to do but his own part, and the Magistrate his part. To make the Clergy worldly Judges and Magistrates, is no benefit, but a burden; it is nothing that a wise man should rejoice in, but rather groan under, as a pressure and hindrance, and pray to God to be eased

of it, and rejoyce in being free from it, and at liberty to imploy all the time which was wont to be spent in such Secular affairs, in Religious and Sacred exercises, which have a more special tendency to Soules good, and are most becoming a Pastor.

18. Lastly, I will set the worthy *Davenant* against himself, who going about to prove that the Bishop of *Rome* hath no temporal power over Kings, lays down this position, — *Bonum spirituale non postulat, ut ulla temporalis potestas a Romano pontifice exercentur.* (And if not by him, then by no other Bishop or Pastor whatsoever) *Non est enim in ordine ad hunc finem, aut necessarium medium, aut accommodatum, aut licitum, aut denique cum spirituali censurâ excommunicationis ullo iure connexum.* Spiritual good doth not require that any temporal power be exercised by the Bishop of *Rome*; for it is not in order to this end, either a necessary mean, or fit, or lawful, or lastly by any right kn^t with the spiritual censure of excommunication. *Determ. quest. 4.* And he gives very substantial proofs. I am at a loss how to reconcile him to himself. But whether he be consistent to himself or not, I lay not my cause upon that, the other proofs and evidences do overpower my understanding.

19. Now if it be manifestly inexpedient to make Clergy-men Magistrates, and grant them civil jurisdiction, then it must needs be manifestly inexpedient to make them supream Magistrates, and confer upon them the highest jurisdiction which Subjects be capable of, as to be Lords in Parliament, and to have equal votes with the Peers and Nobility of the Realm, and sit as Princes there, to be many days, and weeks, and months from their Flock, and to be all that while taken up in State-matters, Civil and Secular affairs. If the other Arguments be good against granting any temporal authority and jurisdiction at all to Pastors and Clergy-men, and the Reasons for it be exceeding weak, and but shews and shadows of Reason, then it must needs be much more inconvenient to heap secular honours, dignities, greatness, preeminence and authority upon Clergy-men, and betrust them with the highest jurisdiction, by making them Lords in Parliament.

20. They that will be rich, fall into temptation, and a snare, and into many foolish and hurtful lusts, which drown men in destruction and perdition, 1 Tim. 6. 9. It holds good most strongly of those that seek both worldly wealth, and outward height, grandure and state; that would be great, and sit in the highest Seat, and be accounted Lords and Princes, and have dominion over the lives, the liber-

liberties, the estates, yea, and souls of men, and would have wealth and riches to support their grandure and preferment. It is this which hath let many evils into the Church, and given occasion to the *Roman-Bishop* to lift up himself above all other Bishops, yea, above Kings and Emperors themselves, and to assume the title of Universal Bishop, and Christs Vicar general upon earth, and to usurp authority, dominion, and supremacy *above all that is called God*, 2 *Thess.* 2. 4. *Constantine* the Christian Emperor thought he did the Church a kindness in heaping Civil honours upon Clergy-men, and putting them into places of state and preferment; but in truth he did them and the Church no kindness. It had been well for the Church, of God that Bishops and Clergy-men had continued meer Bishops and Clergy-men, without any worldly honours, preferments in Parliament, outward greatness and jurisdiction.

21. Nor is there any hope that the Church of God should enjoy true rest, and be settled in happy and lasting concord, and flourish as it should in holiness and Peace, till its Bishops and Pastors be reduced to the Primitive and Apostolick pattern. One would think the words of our Saviour were plain enough in this case, when there was a strife among the Twelve Apostles which should be greatest, our Saviour quickly ends the controversie, by telling them, *The Princes of the Gentiles exercise dominion over them; and they that are great, exercise authority upon them. But it shall not be so among you; but whosoever will be great and chief among you, let him be servant and servant of all, Mat.* 20. 25, 26, 27. *Luk* 22. 25, 26. *It shall not be so among you*, and consequently it shall not be so among your successors. But so it hath been, and so it is to this day: God grant it may be so no longer. There is a striving which shall be high and great, striving for worldly honours, preferment, and votes and authority in Parliament: There is not a striving who shall be most humble, and self-denying, and do the work of God faithfully. There is a striving who shall be like the Pope, rather than Jesus Christ; who shall have worldly lordship, wealth and preferment, and exercise domination; not who shall be most good and holy, most faithful and diligent in the work of the Ministry.

22. Ambition and domination is not good in any; but it is worst and most odious in Bishops and Clergy-men. By seeking themselves and their own honour rather than the honour of God, they lose themselves, and do but prepare themselves for a fall. Is it not a most sad thing to read in Church-history the contentions and strivings

vings of Bishops, and Patriarchs, and Clergy-men, about names, and places, and dignities, and worldly greatness, and authority; and all the doleful evils which Clergy-domination and worldly-Prelacy hath produced? And to see Christian Emperors, Kings, Princes, States and Parliaments, to enslave themselves to a dominating Clergy? This is it which makes wise and good men to think it were much better to let Bishops and Clergy-men be meer and simple Bishops and Clergy-men, and no more; and for the Magistrate to keep the Sword in his own hands. For if once you take up this for a principle, that the example of Christ and of his Apostles, and of the Pastors and Bishops of the Churches for the first Three hundred years, is not a sufficient pattern, yea, and the very best pattern for all Christian Pastors and Churches to conform to; if once you leave this, you depart from the simplicity that is in Christ, 2 *Cor.* 11. 3. It is not possible to keep out pride, contention and domination, these will be, and they will prove the scab, yea the plague of the Church, and danger to eat out its vitals, or to weaken and consume it, that it will want much of its strength and beauty.

23. Sound prudence is always to go by a sure and stedfast Rule. Christs pattern, the way and practice of the Apostles, and first and most pure Churches, is a sure rule to go by: Keep to this, and we are safe. God will not find fault with us for holding us to his Rules, and seeking to be no more wise, no more holy, no more great, and honourable, and good than his Rule and Standard requires. But if you alter your rule, and once think, and say, the Clergy must have some more honour and jurisdiction than so, you let in confusion, contention, domination, and a troop of evils and mischiefs not to be told. As in the case of Ceremonies, and namely that of the Cross in Baptism, if it be prudent and advisable to add unto Gods institution of Baptism a dedicating symbolical sign, and say, that Baptism without it is not best as Christ ordained it, you may by the same reason add Cream, and Salt, and Spittle, and a multitude of vain and foolish things; no just bounds can be set.

24. And therefore Bishops, Pastors, and Clergy-men in Parliament, should make their humble address to the King, the Nobility, and Commons in Parliament to this effect. — Our office is to be Bishops and Shepherds of Souls, to give our selves continually to Prayer, and to the ministry of the Word, and to take heed to our selves, and to all the flock over which the Holy-Ghost hath made us overseers. Had we more time than we have, had we more wisdom

and

and goodness in our Souls, could every one of us do the work of ten of the best, and ablest, and most godly Bishops and Pastors that ever the Church of God had, the Souls in *England* and *Wales* would find us all work enough. We may not leave our work and calling unto which we are separated, without injuring you, and us, and the souls of our people, and procuring far more damage to all sides, than the benefit can countervail. These honours that you put upon us, these places of dignity and jurisdiction that you put us in, are a snare and a burden to us: they are no priviledg but a let. To strive for them, were to strive to bring Fire and Gun-powder together. All the while we be here, we tread as upon Coals of Fire. We are as if we were upon a high towring Steeple, or the top of a Pinnacle, we cannot look upward, nor downward, behind us, nor before us, nor on either hand, but we be in extreame fear of falling. For Gods sake, for your own sake, for the Churches sake, ease us of these burdens, deliver us from these snares, let us not be pragmatical and busie-bodies; you do not love to hear Divines pragmatical in the Pulpit, and why should it please you, or us, to be pragmatical out of the Pulpit? We thank you for your love and well-meaning zeal; but you would not have us undone by you, and Church and State suffer by us, and by our standing for worldly honours and preferment. We had rather be pure and simple Bishops and Clergymen, than neither pure Clergy men, nor pure Lay-men, but mungrels between both: simple bodies are the most solid and compact. Gold and Silver mixt, is not so pure and firm as pure Gold. We had rather be simple followers of Christ, and *Peter*, and *Paul*, and the first and most ancient Bishops, than any thing that man can make us. Never fear that we shall want honour, countenance, reverence and due maintenance, while we our selves fulfil our name and place, and there are men and Christians among us. If we want any outward desirable reputation, esteem, or conveniency, God will be to us an alfsufficient good, and our very wants will be sanctified to our good. Let us go to our flocks and several charges whence we came, hinder us not. Let us not be advanced in wealth, in honour, in preferment above the rest of our brethren, who be equal with us in wisdom, holiness and industriousness; and many of them do exceed us. We had rather dye preaching, and praying, and visiting, and instructing the souls of our people, than dye voting in Parliament, and agitating State-matters there. If you need our advice at any time in things pertaining to the Church, and which come within the sphere

Sphere and compass of our calling, we are ready night and day to do the best service we can. And we desire you will not look upon us as a divided party from the rest of our Brethren and Protestant Divines in the Nation, but that you will in all your consultations about Church-affairs, use the advice of the most sound, and holy, and impartial, and prudent, and experienced Divines in all the Nation, and by all means possible, keep the Sword and coercive power out of the hands of such as be proud and lordly, and usurp over their Brethren, and would set us all on a flame, and are plain worldly, hypocritical, self-seeking men, and rather Papists and Infidels in heart, than sincere Christians and Protestants. You need consultation with Divines for your Souls, as you do with Lawyers for your Estates, and Physicians for your Bodies: But as you can make due use of Lawyers and Physicians, by advising and consulting with them in all necessary cases, without making them Statesmen, and Peers, and Lords in Parliament, and loading them with secular greatness, honour and jurisdiction; so you may make all due and faithful use of us, as Bishops, spiritual Pastors, and Casuists in Gods Church, by using our advice and consultation when there is need, without loading us with worldly honours, and making us Statesmen, and Peers, and Lords of the Realm, and Lords and Law-makers in Parliament; such things be *extra-episcopal*: They will be small honour and comfort to us when we come to dye, and give up our accounts to God. Bend your endeavours to unite all Protestants, and to strengthen the common cause of Christianity, Faith and Holiness, against the reigning errors and vices of the times, and the most malignant distempers of mankind, now degenerate, and far departed from God. If you find us such as we should not be, do right and justice, and let no mans crimes go unpunished, nor any scandal lye upon the Churches, by any person or party whomsoever. Fidelity to God, to you, to our own souls, and to the Church, compels us to make this address, and to quit our hands of all such matters as will not stand with sound prudence and integrity. The first and best part of wisdom is not to err and do amiss; for then there will need no repentance: but having erred, the next and only wisdom is to repent and reform, that God may forgive us, and men may have forgiving goodness and charity in their breasts towards us.

25. In case Bishops and Clergy men shall stand for their worldly dignities and places in Parliament, and plead prescription, and the

example of their ancestors, and the right of their successors, and think it hard measure to be reformed, the Sovereign with the Nobles and Commons in Parliament should say to them, We are Gods Ministers, bearing the Sword, and are to be a terrour to evil doers, and a defence to them that do well. We are to correct all disorders and abuses. *Let every soul be subject to the higher powers.* If we find you to be out of your place and calling, we are to take cognizance thereof, and see that Archippus take heed to the Ministry which he hath received in the Lord, that he fulfil it, Col. 4. 17. As we may not forbear to use your advice and consultation both publick and private when there is cause; so neither may we call you to counsel and consultation needlessly, and avocate you from your Studies, and Episcopal and Pastoral work, in Prayer, and Preaching, and Overseeing your several flocks, without cause: unto you belongeth the power of the Word and Keys, unto us belongeth the power of the Sword. If you see any misdemeanours in us, do your duty faithfully, kill us not by kindness, flatter us not to our ruine, make utmost use of that authority God hath given you in his Church to edification, conceal nothing from us and the people which is godly and profitable for us to know; spare to reprove no sin which is a sin, and which needs reprovng; do your duty faithfully, be prudent, be pious, be peaceable, be diligent and blameless in your place, and we shall defend you, and be a terrour to all that would harm and oppose you. But if it will not content you to be as *Peter* and *Paul*, and the holy Bishops and Pastors of old, but you will needs be usurping the Magistracy, and seeking domination, and make your Brethren of the Clergy your underlings; if you will needs be pragmatical and busie-bodies, and neglect the work of Prayer and Preaching, and suffer the souls of your people to want due oversight and pastoral care; if you will beat your fellow-servants, and causelessly fall out with your Brethren and the universal Church, we must not wink at such offences, but declare them to be crimes punishable by a lawful Magistracy, which we are, under God. We will hear of no plea or prescription against Piety, Prudence and Peace. Usurpation, domination, pastoral negligence, and unfaithfulness, and gross imprudencies, are not priviledges, but sins and crimes; to say they are ancient, is to say they are more odious, and call for the more deep repentance, and speedy, and sound, and thorough reformation.

26. There are in this, as in most other cases, two extreams, which be alike equi-distant from the true and right mean. The one is to make no use at all of Divines, nor to consult with them in any case. This I take to be a dangerous extream, contrary to the light of nature, the true office and institution of the Ministry, and that duty which all Christian Princes, and Parliaments, and People do owe to the Lord Jesus Christ; unto whom they are vowed and sworn to observe his Laws, and to be sincerely subject to his government in all things. And he doth govern his Church by Pastors, Teachers, and spiritual Overseers, with whom all persons of what degree and rank soever they be, are to advise and consult, not in every small and little matter, but in cases of weight and concernment, if they cannot otherwise satisfy themselves; as they will do with Lawyers about their Estates, and Physicians about their Bodies. The Papists do grossly tyrannize over all, both Kings and Subjects, by binding them to make a particular recitation or confession of their sins to their Priests, at certain times frequently; thereby making themselves Masters in some sort of mens consciences, and unjustly privy to their secrets, and abusing the name, authority, and ordinance of Christ, to rigour and tyranny, and thereby deceiving and deluding souls into much superstition, vassalage, and hypocrisy. To avoid which, Anti-papists have run into a quite contrary extream, forgetting of what daily and standing use and concernment Gods Ministers are, both to persons and societies. *The Priests lips are to keep knowledge, and the people are to seek the Law at their mouth, Mal. 2. 7.*

When the *Philistines* were to send back the Ark, they consulted with their Priests and Diviners, *1 Sam. 6. 2.*

Ministers are not only to be heard in publick, but to be consulted with in private, and to be made use of in all cases and questions Ecclesiastical, which concern the general interest of the Church, its holiness and its unity, and which cannot well and soundly be determined without the assistance, advice, and direction, of impartial, wise and holy Divines. I am so far from being against this, that rather I judge it a common error and mispractice in Christian States, as well as particular persons, that they do not make that due and godly use of Ministers and Divines, which they ought to do; whence it is that they do so often miscarry in their ways and counsels, because they do too much lean to their own understandings, and either consult not at all with Gods Ministers, or if they do, they consult with those only which are partial and unfaithful, or they do treacherously and

and hypocritically conceal something of the case from them, or do like the Papists, which make confession a meer ceremony, resting in the work done, imitating her in *Prov.* 7. 14.

People can send for Ministers to advise with upon their sick-beds; they should do it when they are in health. There is Parliament humility and self-denial, which Jesus Christ doth bind all Christian States and Rulers to, *Luk.* 9. 23. The long Parliament had their Assembly of Divines.

27. The other extream is of making more and further use of Ministers than need requires, and than will stand with the prudence, conveniency, and quality of their work and calling; and in making an undue disparity and inequality among Ministers and Divines, appointing some to be Lords and Dominators over the rest, advancing them too high in worldly dignities, authority and preferment, and thereby establishing pride and partiality: It is grounded upon a mistake, which is, that by Gods Law, Bishops and Arch-bishops have a majority of power and jurisdiction above the rest of the Pastors, though they excel, or be equal to the Bishops, and Arch-bishops, in true wisdom and holiness, and Ministerial graces and diligence; whereas it is evident from the very nature of the thing it self, that a Bishop and Overseer of Souls, are but two names for the same thing: and that to be an Arch-bishop, is to be *Episcoporum primus*, an eminent Presbyter, the chief of all the Bishops, Presbyters and Pastors: not that he hath a greater commission than they. The authority and commission of Bishops, Pastors, and Ministers, is but one, *Matt.* 28. 19, 20, and it consisteth in these three. 1. An authority to Christianize Souls, and admit Disciples into the Family of Christ, which is his Church, by Baptism. 2. An authority to use them as Disciples and Members of the Family when admitted, by feeding them with knowledg and understanding, watching over them, and doing all necessary and convenient, episcopal and pastoral acts and offices to them. 3. An authority to discommen and cast out of the Family, by penal and juridical Church-censures, contumacious and grossly disorderly livers, whom no other remedies will amend.

28. This threefold authority every right ordained Presbyter, or Parish-Minister hath, and no Arch-bishop or Bishop hath more; for more is not necessary; nor is there any place for more. And less will not suffice to make a compleat Pastor; and Christ makes no incompleat Pastors. *Qui aliquid, alicui concedit, concedit*

Et id sine quo res ipsa nequit concedi. He that gives the end, doth includedly give the due, and regular, and subservient means. And, *Qui adimit medium, destruit finem.* We must not for fear of making every Pastor a Pope, deny him to be a Pastor. Grant him to be a Pastor, and thereby you grant unto him pastoral power; and then you grant him authority to cast out as well as to take in; to have an expulsive as well as a receptive faculty. Ministers may abuse their authority; so also may Magistrates, Parents, &c. But is that any ground to deny them the authority of Magistrates and Parents? If they be not fit to be trusted with the pastoral office, let them not be Pastors at all. If they be fit to be Pastors, let them be compleat pastors. An incompleat Pastor is *terminus diminuens*. No Scripture, nor sound Reason doth give any warrant for making men but half-Bishops, half-Pastors and Presbyters. I say again, That an Arch-bishop is but an eminent Presbyter, as *Peter* among the Apostles, or as the foreman of the jury: The rest of the Apostles are compleat Apostles as well as *Peter*, and have equal commission and authority. The rest of the Jury are jurors as well as the Foreman, and are equal judges of the fact. True it is, that among Apostles and Pastors who be equal as to Office and Commission, there may be much inequality as to gifts and graces, and faithful and wise execution of their office. As all Parents have alike authority over their Children; but all Parents are not alike wise, and good, and officious in their places: unto some God giveth ten talents, unto some five, unto some two, unto all at least one. And it is Gods will that he who is best, be best esteemed, and that the less wise do learn of the more wise, that the *younger submit themselves unto the elder, yea, all of you be subject one to another, and be clothed with humility, 1 Pet. 5. 5* Ministers cannot always be executing their Office, as Praying, Preaching, Baptizing, &c. And there may be some parts and branches of the Office which they may never be called to exercise, as Ordination, authoritative Excommunication, and Absolution. And no authority is given but for use and edification; and where there is no use of it, or where it cannot be used without making things worse, and doing more hurt than good, it is to be forborn. But it is fit that Ministers be Ministers, and Pastors and Bishops, be Pastors and Bishops, and be invested and intrusted with compleat Pastoral and Episcopal power, and that they do use and exercise every branch and part of their office and authority, when, and so often as sanctified Conscience, and

and sound prudence and discretion shall say it is convenient, and they cannot forbear to do it without manifest damage and inconvenience; as it is convenient a Captain have his Sword, though he may not be put to use it in fight against any. And it is fit that a Schoolmaster have power to use his *Fetula*, and moderately correct untoward and misruly Scholars, though possibly he may have none such, and so never be put to use the Rod.

29. This being so, I must needs grant, that if it be convenient, and advisable, that the whole tribe of Ministers who be of the order of Presbyters, be accounted Lord-Bishops, Lord-Presbyters, Lord-Pastors, and Lord-Preachers, and have equal right to be Lords and Statesmen in Parliament, and suprem Judges in all causes and questions, both Political and Ecclesiastical, which shall come before that honourable Assembly; then I yield the cause, my position is erroneous, and I do ill to say it is inconvenient that Clergy-men be Lords and Statesmen in Parliament. But if it be inconvenient and against sound prudence, to honour, or rather burden the whole Tribe of Ministers, and right-ordained Pastors and Presbyters, with these honours, preferments, greatness and authority, then I see not but my position will hold sound and good; for if all appearance of evil is to be avoided, then all appearance of partiality is to be avoided; and of that partiality which hath conjoined with it many snares, and which a wise man is bound to avoid as distractions, precipices, and burdens. I have no envious partiality against Arch-bishops and Bishops; I am neither against the name, nor the office; and thing imported by the name. Every Pastor unto whom God doth give more than ordinary gifts and graces, is in my judgment a real Arch-bishop in Gods Church; *jure Divino*: a chief Pastor and eminent Prelate in Gods Church above his fellows: of which rank I do estimate the famous *Usher*, *Augustine*, *Atanasius*, *Calvin*, *Zanchy*, *Bradford*, *Davenant*, *Cranmer*, *Dod*, *Bain*, *Hilderham*, *Preston*, *Sibbs*, *Gataker*, *Joseph Hall*, *Babington*, *Joseph Allene*, and many more both ancient and modern Divines: all burning and shining lights in Gods Church, more eminent than vulgar Divines. I think my self not worthy to carry their Books after them: I think they better deserve the Title of Lord, than many a temporal carnal Lord that is honoured with that name. The fifth Commandment bindeth me to honour my Father and my Mother: and my Catechism teacheth me, that by Father and Mother is to be understood all superiors in office, age and gifts. Good *Obadiah* says to *Elijah*, *Art thou*

then that my Lord *Eliab*, 1 Kings 18. 8 ? The truth is, our ordinary word *Master*, or *Sir*, which we give to almost all, importeth the same with the title *Lord*, it being in *Greek*, *Kurios* and *Kurie*, in *Latin* *Dominus* and *Domine*, save that custom which is the great arbiter of Speech, doth appropriate this title *Lord*, to the temporal nobility. If we must give honour to whom honour is due, and honour all whom God doth honour, or else we are disobedient to God's word and unholy, then both Clergy-men and Lay-men, Magistrates, Pastors, Parents, and private Christians are to be honoured with decent and seemly honour, without denying them what all wise and peaceable Christians account to be their due, and to be safe and decent to be given to them; or giving them more, out of flattery and baseness, having mens persons in admiration because of advantage. See *Job* 32. 22. *Jude* 16.

30. But now it is not the custom with us, nor with the Churches of Christ and Christian people, and custom in this case creates a Law, 1 Cor. 11. 16, to give the Title *Lord* to the Parish-bishops and Presbyters, though never so eminent: and it is but meet, that according to the use of all Nations, and the Scripture it self, a difference be made between the temporal Nobility and the Clergy: And why it should be given to a Popish Bishop meerly because a Bishop, such as *Bonner*, *Gardiner*, and many of the Popes and Cardinals, who have been wretched men, or to a *Ridley*, a *Hooper*, a *Davenant*, rather than to a *Bradford*, a *Philpot*, a *Dod*, a *Joseph Alline*, I know not: If the honour be due to the Office, then all Ministers must be counted Lord-bishops and Lord-pastors, I am clear in that, *Act* 20. 28. *Phil.* 1. 1. This I know will not please our Lord Arch-bishops and Bishops, and those whose zeal upholds them. All that I contend for is, that all that be equal in office, be equal in honour, and no one partially preferred; no one assume to himself carnal state and superiority over his Brethren. *Jam.* 3. 5, Behold, how great a matter a little fire kindleth! This advancing of equals above their equals, and brethren above their brethren, and pastors above pastors, in Gods Church, is not good.

31. I do not impugn bare names and titles, but my aim is to impugn factious partiality, and pride in Clergy-men, occasioned by the over-indulgence of Princes and supreme Magistrates. It is simplicity, humility, and sincerity in Bishops, which I contend for. Either the Arch-bishops and Bishops must come down, and abate of their honour, their lordliness, their principalities and worldly state, and be upon

upon even ground with the rest of their Brethren, who have as good insides as they, and are as real Bishops and Overseers of souls as they, and have equal office, authority, and commission with them. *Act. 28. 19, 20. Job. 20. 23.* and will pass for as much at death and judgment as they: or else the rest of their Brethren who be equal in office and merits to them, must be heightened and advanced, and made to be upon even ground with them. This latter is not advisable, nor will be granted; it is not fit it should: The other is both feasible and convenient. It will make our Arch-bishops and Bishops to be no worse men, nor worse Arch-bishops and Bishops, if they be but meer and simple Bishops of Souls, and meddle no more in State-matters, and secular affairs, than needs they must, and will stand with the order, and quality, and greatness of their work.

32. Do you think in good earnest, that Church and State will all go to rack and ruine, if our two Arch-bishops, and the Diocesan Bishops be not present in Parliament, and sit as Lords and Princes there? must they have the hearing of every Cause, and be supreme Judges and Magistrates, and political Officers under the King? were it not more becoming you to be among your people, Preaching and Praying, and visiting the Souls and Families under your charge, in imitation of the Apostles, *Act. 20. Act. 6. 2, 3, 4, 21, 28, 31.* than striving for worldly greatness and secular preeminency? is not the way to Heaven strait enough to you, but you will make it more strait? cannot Traytors and Murderers be tried without you? would it be any disparagement to the best of you all to be as *Peter* and *Paul*, yea, as Jesus Christ himself, rather than like the Pope? do you stand for these worldly honours and preeminencies out of pure zeal for Gods Glory, and the Churches good? Why then do you beat your fellow-servants, and use them more unchristianly, than Pagans have used Christians? *Act. 3. 8. 26, 21.* and give your Votes, that all the Pastors in the Land be silenced and put down, for not assenting and consenting to many things which you your selves confess to be in their own nature indifferent, all moderate and sound conforming Ministers confess to be burdensom and inconvenient, and multitudes of conscientious, and learned, and peaceable dissenting Divines and Protestants do say, are flatly unlawful?

33. but is an error to think that Episcopacy, and Arch-episcopacy cannot stand, unless Bishops and Arch-bishops be made Lords, and Legislators, and Princes in Parliament, and have worldly greatness, authority, and greatness to support the simple office of Prefacy and

Episcopacy in Gods Church. These worldly additions and cumulations of secular office and honour, are things extrinſical to right and ſimple Prelacy and Episcopacy. Right and ſimple Prelacy and Episcopacy do not ſtand by the will and donation of Princes, but by a ſuperior Law, even by Divine and unchangeable Right, by the Word of God, and by the law and light of nature, and the intrinſical goodneſs and expediency of the thing. For if there were no Chriſtian Magiſtracy or Parliament, yet would there be Prelacy and Episcopacy in Gods Church. It is of the law of Nature that the beſt be beſt eſteemed, and that vulgar Paſtors and Divines, that have but one or two talents of Miniſterial and Episcopall learning, holineſs, wiſdom and uſefulneſs, give place to thoſe who are more eminent, and whoſe graces and vertues do render them ſingularly excellent above their Brethren, though they have but one and the ſame commiſſion and authority. Authority is one thing, ſpiritual and mental qualifications and endowments are another thing. Now we ſee how that God himſelf doth difference among the Paſtors, by conſerring on ſome, extraordinary abilities and qualifications, and thereby notifying to all the Churches, the ſingular reverence and eſteem which he would have ſuch eximious perſons to have from all the Churches; as *Daniel* was preferred above the Presidents, *Dan. 6. 3.* and *Eſther* and her Maids above the Women, *Eſther 2. 9.*

34. Every man naturally hath a Pope in his belly, is the common ſaying: Pride is an inborn ſin. It is exceſſive pride in the Pope, to think himſelf more than a man; and it is exceſſive pride in an Infant to think himſelf a grown man: and in Paſtors that be but of infant-underſtandings, to think themſelves equal with ſuch as be of grown, and large, and ſingularly eminent underſtandings.

Simple Prelacy among Divines, is a Divine thing. Every eminent, holy and wiſe Preſbyter, is a real Arch-biſhop in Gods Church: This he would be, were there no Chriſtian Magiſtracy to uphold him. There is a ſubjection due from one Paſtor to another, as from one man to another, *1 Pet. 5. 5.* As it will not ſtand with true Chriſtian humility, ſelf-denial, and ſubjection to Chriſt in all things, that Paſtors do dominate over Paſtors, and Lord it over their Brethren, *1 Pet. 5. 3:* So it will not ſtand with the ſame Chriſtian graces and duties, for one Miniſter of inferior and ſmaller parts, gifts and graces, not to acknowledge the greater gifts and graces of others whom God hath made more eminent.

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There is as great variety of Pastors, as there is of Men and of Saints; some are as eyes, some as hands, some as feet in Gods Church. The weakest sincere Christian Pastor, is a Pastor, as truly as the highest and most excellent Pastor, and is of use in his place: In this there is no difference between the most eminent Arch-bishop *Usher*, and the meanest honest Parish-Minister. But then as to wisdom, and holiness, and usefulness, there is great difference and inequality; and out of this ariseth natural, simple, divine and unchangeable Prelacy, Episcopacy and Arch-episcopacy; which is not a thing pleasing to flesh and blood, and it doth neither favour, nor make against any of the three forms of Church-government called Prelacy, Presbytery, and Independency; further than they do favour, or be against true impartial godliness: of which this divine and simple Prelacy among Divines, is one essential branch. I do not say, it is an appendant or appurtenant of Godliness and Religion; but is an essential branch. It is of the essence of my Religion that I put a difference, as between a godly and ungodly Pastor; so also between a godly Pastor, that is almost ungodly, and hath but one talent of godliness; and a godly Pastor, who is of the highest rank of godly Pastors, and is full of the wisdom, and grace, and joy of the Holy Ghost, and is of extraordinary usefulness and eminency in Gods Church.

We must not, for fear of inclining to the Popes lordliness and supremacy, run into another dangerous extreame, and tempt Infants to think they are Men, and Scholars to think that they are fit to be Teachers; and Learning Disciples, Novices, and Children, that they are equal in wisdom and knowledg to their Parents, Masters and Tutors, between whom there is no compare.

35. I make no doubt but there have been holy and eminent men Lord-bishops and Arch-bishops, Peers in Parliament: God forbid that I should think or say otherwise. But either they were no more but meer and simple Bishops and Arch-bishops, chosen and singled forth from among their Brethren, to be consulted with in matters and cases ecclesiastical, and proper for Divines and Bishops; or they were more.

If the former, and they kept in the rank and station of Bishops and Divines, for my part I am not he that shall oppose it. And if there be any word in all this disputation against such use of Bishops and Divines, *indistinctum volo*, I wish it unsaid.

But if they were more, and took themselves to be more than simple Bishops and Pastors in Gods Church, and to be superior to their brethren in power and authority; if they took themselves to be supreme Magistrates and Judges, under, and with the King in the House of Lords, and to have jurisdiction and lordship proper to Magistrates and supreme coercive Judges, and to the Nobility, Peers and Princes in Parliament; this I hold to be *extra* episcopal, to be a swerving from the simplicity that is in Christ, and an undue prelation of Pastors above Pastors, and a deformity added to the beauty and lustre of simple Episcopacy; and it is a cause of more evil than good, and upon a just computation of all, both conveniences and inconveniences; it will be found a truth, that Church and State have been both losers; that Bishops and Arch-bishops themselves, who have had such external honours, preeminences and authorities, have been losers in their Souls by them, and that it had been better for all sides, that they had kept in the station and quality of simple Bishops and Divines.

36. The Arch-bishops and Bishops with us have three Ordinations; first, they are ordained Presbyters, then they are ordained Bishops, then they are ordained Arch-bishops. Now these two last Ordinations are rather nullities and corruptions, and do suppose that there is a majority and superiority of power in Bishops over Presbyters, and in Arch-bishops over Bishops; and the next step must be in the Pope over all. For to be a Bishop and Shepherd over all the Souls and Shepherds which be in *England*, is a vice of the very same kind with that of the Popes, who says he is Christs Vicar upon Earth, and Bishop over all the Bishops and Souls which be in the world; which is to claim and usurp the office of Jesus Christ, and to attempt the doing of that which is absolutely impossible. It is indeed more impossible for one man to be Bishop and Pastor over all the Souls and Bishops which be in the world, than it is for one man to be Bishop and Pastor over all the Souls and Pastors which be in *England*. Both be alike simply impossible; though the one is more impossible than the other. And they do both favour of proud self ignorance, and gross affectation, and self-seeking, as though one man could be in a thousand places at once, Baptizing, Preaching, giving the Lords-supper, visiting the sick, instructing souls, and doing all other the acts and offices of a Scripture-Bishop and Spiritual Overseer of Souls, *Act. 20. 28.* To the creating of a Bishop or Arch-bishop, there needs no more but an election and nomination of him to the place, as is done by the House of Commons when they chuse a
Speak-

Speaker. His office is no more but to be as the Foreman of the Quest. If he have not wisdom, holiness, and Ministerial worth and usefulness answerable to his name, he is but an Arch-bishop in name, he is rather a post or cypher than a man.

37. Also our Prelates do take upon them to be Ecclesiastical Legislators and Canon-makers to all the Churches, and to all other Pastors; and they constitute them a Lay-Chancellour, and require of all the Clergy an Oath or solemn promise of Canonical obedience to them and their Chancellors. They call their Chancellor their Vicar in spirituals, and unto him is committed the power of discipline and jurisdiction ecclesiastical over all, both Clergy and Laity; and the Church-Canons are his Law and Rule, which being too crooked for honest men to conform to, he spares not to excommunicate them; and upon a *significavit* made by him into the Chancery, out comes an *Excommunicato capiendo*, and the party must either go to Prison all his days without Bail, or make his composition much to his shame or damage, or both. And Excommunications and Absolutions in the Bishops Court are bought and sold for money; and the worst men are spared and countenanced, while the best men are harassed, and anathematized, and accursed from Christ and his Kingdom.

38. Now the Bishops being conscious to themselves, that this kind of prelacy, and domination, and jurisdiction, is not good and equal, but rather like the Popes supremacy over all, and those whom the Holy Ghost brands, *Nehem. 5. 15*, who ruled over Gods people by their Servants, as now the Bishops do by their Vicars, Substitutes, and Chancellors; but so did not good *Nehemiah*, because of the fear of God: They, I say, being sensible hereof, do get to be Princes, and Lords, and Statesmen in Parliament, and thereby insinuate themselves with the Sovereign, and with such of the Nobles and Gentry as love to be flatter'd and smoothly dealt with; and by this means establish to themselves, and to their Chancellors, worldly and carnal jurisdiction, and dominate over their Brethren, and become the Authors of Sects and Factions, and hinder the holiness, the unity and concord of the Churches, and rather than they shall not be Lord-bishop, and partial, and factious, and busie-bodies in Parliament, Church and State must suffer, and the common quiet be endangered. They will not endure to be upon equal ground with their Brethren as wise and good as themselves: as the Pope will not abide to be touch'd in his supremacy.

39 I shall add this one word of caution, Though it be not expedient that Bishops be made Magistrates, and Pastors trusted with the Sword; yet it is fit that Magistrates be Magistrates, and not Cyphers, and that they do not bear the Sword in vain; and that they do back the power and authority of the Ministry, and countenance and uphold the sacred Office, by being a terror to evil doers, and a praise and defence to them that do well. There ought to be a due temperament of Magistracy and Ministry, that we might lead a peaceable and quiet life in all godliness and honesty. Though the Sword is not Gods Ordinance for the conversion of souls, yet it is Gods Ordinance for the punishing of vice, and protection of vertue outwardly; and for the just encouragement of worthy Pastors, and the discouragement of the unworthy. Anciently God did lead his people by the hand of *Moses* and *Aaron*; they both made but one hand.

And it is a Law of universal equity, binding all Christian Commonwealths. *Judges and magistrates shalt thou make thee in all thy gates, which the Lord thy God giveth thee throughout thy tribes: and they shall judge thy people with just judgment, Deut. 16. 18.* And as there ought to be a sufficient Ministry in every Parish; so also there ought to be a due proportion and contemptment of coercive Judges, and revenging Magistrates, in Cities, Towns and Parishes, that the people might have both Law and Gospel; means for their Souls, and means for their outward peace and safety nigh at hand.

It was the custom in *England* anciently, for the Bishop and the Sheriff, who was then called Earl of the County, and was supream Magistrate under the King in the County, to go in Circuit all over the County, the one to teach the people Religion and the way of good living, and to visit all the Churches; and the other to decide civil Causes, and to chastise and correct offenders and offences, and execute revenging wrath upon evil doers: And by this means there was much quiet, and good living, and order in the Realm. This course is now antiquated and degenerated into another course, not so profitable and convenient for good order and publick quiet; and that is the Circuit of Judges itinerant twice each year through the Realm, keeping their Assizes at one place only, and making all the County to come thither: and having a Judges Sermon Preached at the entrance of the Assizes.

Though the Church and Ministry will stand if the Pastors do their duty;

duty; yet if Christian Magistrates do not their duty in their place and calling, they do so far unchristianize themselves, and if they protect the evil, and punish the good, or think that under pretence of Liberty of Conscience men may be allowed to blaspheme God, to teach Atheism, Infidelity, and Soul-destroying doctrines, and act the part of *Corah* and his complices, against the faithful Ministers of Christ, God will make them know one day, that that was not the end for which he appointed them Magistrates, and that they be his Ministers, and are therefore called Gods, and ought not to beat the Sword in vain, and to stand by, and see the Church wasted, persecuted and torn in pieces by violence, heresies, schisms, profaneness and wickednesses, and they be like *Gallio*, unconcerned, and care for no such things.

And the truth is, it is no little that the due execution of the Magistrates office doth conduce to the success of the Gospel, and the promoting of the Ministry, and of the Word and Work of God upon mens Souls. And therefore though I dissent from the worthy *Davenant* in this, That he would have Pastors to be Magistrates, and I would have Pastors to be but meer Pastors, and the Office of the Magistrates to be an Office by it self, and entrusted with persons who are no Pastors, and who may intend it, and make to their work: yet thus far I agree, that it is most convenient and godly, that throughout all the Churches, there be in every place an heir of restraint, a revenger to execute wrath upon them that do evil, and to protect the good; that these two standing Ordinances of Jesus Christ, and of God the Father by him, may stand and consist together, and walk hand in hand, and mutually support and conserve each other for the Glory of God, and the good of Church and Common-wealth. And this is no *Utopia* or Platonick Idea or form of a Common-wealth, which is but a fiction or imagination, no where to be found in this World: But it is obvious and plain to all, and needs not so much any new institution, as a restoration of ancient practice, and a faithful execution of what all sides agree in, consistent with the municipal laws and statutes of this Kingdom.

40. If any shall think I have committed inexpediency in writing against inexpediency, and have meddled with a point that will not abide to be meddled with: when I am convinced of it, I will acknowledge my error: Till then, I will stand upon mine own defence, and plead not guilty. Almost imprudent, is prudent. If any tax me of pragmatism, I answer, it is pragmatism that

I write against, and I cannot cure the wound unless I search it to the bottom, and apply to it suitable Plaisters. Pragmatical Divines cannot content themselves to be Divines in common with their Brethren; but they will play the Bishops in anothers Dioceses, and think it well becomes them to immerse themselves in State-affairs. If it shall be said, that hereby I cast aspersions upon the Government of the Nation, and censure the judgment and esteem of many generations of Princes, Parliaments, Wise-men, Divines and Counsellors. I answer, That if it be lawful for a *Davenant* to assert in Schools, and publish to the world an erroneous position, *Civilis jurisdictionis, jure conceditur ecclesiasticis*; it cannot be thought unlawful by equal judges, for another, though not to be named with *Davenant*, to assert the contrary, and shew the unsoundness of his opinion, though with all just reverence to so worthy a man. And in doing this, I do but expound the true meaning and extent of the fifth Commandment, and assert the rights of the Church universal, and the consentient judgment of the best and foundest Divines, and the due bounds of Magistracy and Ministry, and reduce things to primitive order and simplicity, according to the pattern of Christ and his Apostles, and the first and purest times of the Church.

FINIS.